

93-1460

No. 98-31056

WILLIAM DESHAZER; LOUISE DESHAZER

Plaintiffs - Appellees

v.

ARCO OIL & GAS CO, A division of Atlantic Richfield Company

Defendant - Appellant

FILED
USDC, WESTERN DISTRICT OF LA
ROBERT H. SHERWELL, CLERK

DATE 10 / 1 / 99

BY [Signature]

ENTRY OF DISMISSAL

Pursuant to the foregoing motion of appellant, FED.R.APP.P. 42, and 5TH CIR.R. 42.1, the above referenced appeal was duly entered dismissed this 22nd day of September, 1999.

CHARLES R. FULBRUGE III
Clerk of the United States Court
of Appeals for the Fifth Circuit

By: [Signature]
Monica Washington Deputy Clerk
FOR THE COURT - BY DIRECTION

COPY SENT
DATE 10/1/99
BY B9
TO RFD
M. Sommer

22 SEP 1999
Fest
Clerk, U.S. Court of Appeals, Fifth Circuit
By [Signature] Deputy
New Orleans, Louisiana
SEP 22 1999

(84)

**IN THE
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

NO: 98-31056

WILLIAM DESHAZER - Plaintiff - Appellee

VERSUS

**ARCO OIL & GAS CO., A Division of
Atlantic Richfield Company - Defendant - Appellant**

U.S. COURT OF APPEALS
FILED


SEP 20 1999

CHARLES R. FULBRUGE III
CLERK

Now into Court, through undersigned counsel, comes Arco Oil and Gas Company, A Division of Atlantic Richfield Company, to move this Court to dismiss Arco's appeal. Arco represents to the Court that plaintiff-appellee's underlying state court action, made the basis of Arco's appeal of Judge Doherty's denial of an injunction under the All Writs Act, 28 U.S.C. §1651, has been dismissed with prejudice. Therefore, Arco's appeal in this Court has become moot.

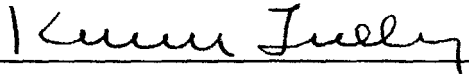
Wherefore, Arco Oil and Gas Company, A Division of Atlantic Richfield Company, moves this Court to dismiss the above-captioned appeal as moot with each party to bear its own costs of court.

Respectfully submitted,


LAWRENCE J. ERNST (#5363), T.A. &
KEVIN R. TULLY (1627)
CHRISTOVICH & KEARNEY, L.L.P.
Suite 2300
Pan American Life Center
601 Poydras Street
New Orleans, Louisiana 70130-6078
Telephone: (504) 561-5700
Attorneys for Arco Oil and Gas Company

CERTIFICATE

This is to certify that a copy of the above and foregoing has been served to
counsel of record by depositing same in the United States Mail, postage pre-paid, this
20th day of September 1999 at New Orleans, Louisiana.



United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

CHARLES R. FULBRUGE III
CLERK

TEL. 504-589-6514
600 CAMP STREET
NEW ORLEANS, LA 70130

September 22, 1999

Mr Robert H Shemwell, Clerk
Western District of Louisiana, Lafayette
United States District Court
300 Fannin Street
Suite 1167
Shreveport, LA 71101

No. 98-31056 DeShazer v. Arco Oil & Gas Co
USDC No. 93-CV-1460

Enclosed is a certified copy of the judgment issued as the mandate.

Record/original papers/exhibits are returned:

(4) Volumes (1) Supp. Vol. (1) Envelopes (1) Box (SEALED)

Sincerely,

CHARLES R. FULBRUGE III, Clerk

By: 
Monica Washington, Deputy Clerk

cc: w/encl:
Mr Kevin Richard Tully
Mr William M Bass